

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re: §
§
BANEKS RESTAURANT, INC. § Case No. 08-28454
§
Debtor(s) §

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

THOMAS E. SPRINGER, TRUSTEE, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned:
(Without deducting any secured claims)

Assets Exempt:

Total Distributions to Claimants:

Claims Discharged

Without Payment:

Total Expenses of Administration:

3) Total gross receipts of \$ (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ (see **Exhibit 2**), yielded net receipts of \$ from the liquidation of the property of the estate, which was distributed as follows:

| | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|---------------------|--------------------|-------------------|----------------|
| SECURED CLAIMS (from Exhibit 3) | \$ | \$ | \$ | \$ |
| PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4) | | | | |
| PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5) | | | | |
| PRIORITY UNSECURED CLAIMS (from Exhibit 6) | | | | |
| GENERAL UNSECURED CLAIMS (from Exhibit 7) | | | | |
| TOTAL DISBURSEMENTS | \$ | \$ | \$ | \$ |

4) This case was originally filed under chapter on . The case was pending for months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: _____ By: /s/THOMAS E. SPRINGER, TRUSTEE
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

| DESCRIPTION | UNIFORM TRAN. CODE ¹ | \$ AMOUNT RECEIVED |
|-----------------------------|------------------------------------|-----------------------|
| | | |
| | | |
| TOTAL GROSS RECEIPTS | | \$ |

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

| PAYEE | DESCRIPTION | UNIFORM TRAN. CODE | \$ AMOUNT PAID |
|---|-------------|-----------------------|-------------------|
| NA | | | |
| TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES | | | \$ |

EXHIBIT 3 – SECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6D) | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|-----------------------------|---|--------------------------|---------------------------------------|--------------------|-------------------|-------------|
| | National City Bank PO Box 4068 Kalamazoo, MI 49003 | | | | | |
| TOTAL SECURED CLAIMS | | | \$ | \$ | \$ | \$ |

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|--------------------------|---------------------|--------------------|-------------------|-------------|
| THOMAS E. SPRINGER, TRUSTEE | | | | | |
| INTERNATIONAL SURETIES, LTD. | | | | | |
| International Sureties, Ltd. | | | | | |
| BANK OF AMERICA | | | | | |
| Thomas E. Springer | | | | | |
| Alan S. Horewitch, Cpa | | | | | |
| TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES | | \$ | \$ | \$ | \$ |

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|--------------------------|---------------------|--------------------|-------------------|-------------|
| NA | | | | | |
| TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES | | \$ | \$ | \$ | \$ |

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6E) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|-----------|----------|--------------------------|--|---|-------------------|-------------|
| NA | NA | | | | | |

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6E) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|------------------------------------|----------|--------------------------|--|---|-------------------|-------------|
| TOTAL PRIORITY UNSECURED CLAIMS | | | \$ | \$ | \$ | \$ |

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6F) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|-----------|--|--------------------------|--|---|-------------------|-------------|
| | Accident Fund PO Box 77000 Dept 77125 Detroit, MI 48277-0125 | | | | | |
| | Capital One P. O. Box 260848 Plano, TX 75026 | | | | | |
| | Dolan & Murphy Management, LLC C/O Rorry K. Bonifas 2114 Deerpath Road Aurora, IL 60506 | | | | | |
| | Euler Hermes 600 7th Street Louisville, KY 40201-1672 | | | | | |
| | Horacio Vasquez 1731 Balmoral Lane Montgomery, IL 60438 | | | | | |
| | Nicor Gas PO Box 2020 Aurora, IL 60506 | | | | | |

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6F) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|---|--|--------------------------|--|---|-------------------|-------------|
| | Sysco Food Services - Chicago, Inc. 250 Wieboldt Drive Des Plaines, IL 60016 | | | | | |
| | Township Of Aurora 80 N. Broadway Aurora, IL 60505 | | | | | |
| | Travelers Crum-Halsted Agency Inc. 2350 Bethany Road Sycamore, IL 60178 | | | | | |
| 2 | Indemnity Company And Affiliates | | | | | |
| 1 | American Express Bank Fsb | | | | | |
| TOTAL GENERAL UNSECURED CLAIMS | | | \$ | \$ | \$ | \$ |

FORM 1
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 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

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Exhibit 8

Case No: 08-28454 MB Judge: Manuel Barbosa
 Case Name: BANEKS RESTAURANT, INC.

Trustee Name: THOMAS E. SPRINGER, TRUSTEE

Date Filed (f) or Converted (c): 10/22/08 (f)

341(a) Meeting Date: 11/17/08

Claims Bar Date: 05/05/09

For Period Ending: 07/31/12

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|------------------------------------|---|---|---|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Values | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=554(a) Abandon DA=554(c) Abandon | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| 1. Checking account at National City Bank | 26.61 | 0.00 | DA | 0.00 | FA |
| 2. No security Deposits | 0.00 | 0.00 | DA | 0.00 | FA |
| 3. Horacio Vasquez is using debtor's equipment, occupying unknown debtor's leased space, and doing business as Banek's Restaurant and Catering. | Unknown | 0.00 | DA | 0.00 | FA |
| 4. 2005 GMC G1500 Savana delivery van | 9,975.00 | 7,600.00 | | 7,600.00 | FA |
| 5. Restaurant equipment. To the best of debtor's knowledge, National City has a security interest in the equipment | 10,000.00 | 0.00 | DA | 0.00 | FA |
| 6. Post-Petition Interest Deposits (u) | Unknown | N/A | | 3.91 | Unknown |

TOTALS (Excluding Unknown Values)

\$20,001.61

\$7,600.00

\$7,603.91

Gross Value of Remaining Assets

\$0.00

(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Trustee's accountant to file estate tax returns, then claims will be reviewed, and then the Final Report will be filed.

Initial Projected Date of Final Report (TFR): 10/30/10

Current Projected Date of Final Report (TFR): 06/15/11

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-28454 -MB
Case Name: BANEKS RESTAURANT, INC.

Trustee Name: THOMAS E. SPRINGER, TRUSTEE
Bank Name: BANK OF AMERICA
Account Number / CD #: *****0562 MONEY MARKET

Taxpayer ID No: *****8086
For Period Ending: 07/31/12

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|--------------------|--|---|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| | | | BALANCE FORWARD | | | | 0.00 |
| 09/10/09 | 4 | Old Second National Bank 37 South River Street Aurora, IL 60506 | Sale of estate's interest in 2005 GMC 1500 | 1129-000 | 7,600.00 | | 7,600.00 |
| 09/30/09 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.11 | | 7,600.11 |
| 10/30/09 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,600.30 |
| 11/30/09 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,600.49 |
| 12/31/09 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,600.68 |
| 01/29/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,600.87 |
| 02/09/10 | 000100 | INTERNATIONAL SURETIES, LTD. SUITE 420 701 POYDRAS STREET NEW ORLEANS, LA 70139 | Portion on Blanket Bond #016026455 | 2300-000 | | 6.96 | 7,593.91 |
| 02/26/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.17 | | 7,594.08 |
| 03/31/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.20 | | 7,594.28 |
| 04/30/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,594.47 |
| 05/28/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.18 | | 7,594.65 |
| 06/30/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.20 | | 7,594.85 |
| 07/30/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,595.04 |
| 08/31/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.20 | | 7,595.24 |
| 09/30/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,595.43 |
| 10/29/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,595.62 |
| 11/30/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,595.81 |
| 12/31/10 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,596.00 |
| 01/31/11 | 6 | BANK OF AMERICA | Interest Rate 0.030 | 1270-000 | 0.19 | | 7,596.19 |
| 02/28/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,596.25 |
| 03/31/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,596.31 |
| 04/26/11 | 000101 | INTERNATIONAL SURETIES, LTD. SUITE 420 | Portion on Blanket Bond #016026455 | 2300-000 | | 6.30 | 7,590.01 |

Page Subtotals 7,603.27 13.26

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-28454 -MB
Case Name: BANEKS RESTAURANT, INC.

Trustee Name: THOMAS E. SPRINGER, TRUSTEE
Bank Name: BANK OF AMERICA
Account Number / CD #: *****0562 MONEY MARKET

Taxpayer ID No: *****8086
For Period Ending: 07/31/12

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|--------------------|---|----------------------------|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| | | 701 POYDRAS STREET NEW ORLEANS, LA 70139 | | | | | |
| 04/29/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,590.07 |
| 05/31/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.07 | | 7,590.14 |
| 06/30/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,590.20 |
| 07/29/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,590.26 |
| 08/31/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.07 | | 7,590.33 |
| 09/30/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,590.39 |
| 10/31/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,590.45 |
| 10/31/11 | | BANK OF AMERICA | BANK SERVICE FEE | 2600-000 | | 9.67 | 7,580.78 |
| 11/30/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,580.84 |
| 12/30/11 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.06 | | 7,580.90 |
| 01/31/12 | 6 | BANK OF AMERICA | Interest Rate 0.010 | 1270-000 | 0.07 | | 7,580.97 |
| 02/07/12 | 6 | BANK OF AMERICA | INTEREST REC'D FROM BANK | 1270-000 | 0.01 | | 7,580.98 |
| 02/07/12 | | Transfer to Acct #*****1848 | Final Posting Transfer | 9999-000 | | 7,580.98 | 0.00 |

| | | | |
|---------------------------|----------|----------|------|
| COLUMN TOTALS | 7,603.91 | 7,603.91 | 0.00 |
| Less: Bank Transfers/CD's | 0.00 | 7,580.98 | |
| Subtotal | 7,603.91 | 22.93 | |
| Less: Payments to Debtors | | 0.00 | |
| Net | 7,603.91 | 22.93 | |

Page Subtotals 0.64 7,590.65

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-28454 -MB
Case Name: BANEKS RESTAURANT, INC.

Trustee Name: THOMAS E. SPRINGER, TRUSTEE
Bank Name: BANK OF AMERICA
Account Number / CD #: *****1848 GENERAL CHECKING

Taxpayer ID No: *****8086
For Period Ending: 07/31/12

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|--------------------|--|------------------------------------|--------------------|---------------|--------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| | | | BALANCE FORWARD | | | | 0.00 |
| 02/07/12 | | Transfer from Acct #*****0562 | Transfer In From MMA Account | 9999-000 | 7,580.98 | | 7,580.98 |
| 02/07/12 | 001000 | THOMAS E. SPRINGER, TRUSTEE 400 S. County Farm Road Suite 330 Wheaton, IL 60187 | Chapter 7 Compensation/Fees | 2100-000 | | 1,510.37 | 6,070.61 |
| 02/07/12 | 001001 | Alan S. Horewitch, CPA 2150 E. Lake Cook Road Suite 560 Buffalo Grove, IL 60089 | Accountant for Trustee Fees (Other | 3410-000 | | 1,917.50 | 4,153.11 |
| 02/07/12 | 001002 | Thomas E. Springer 400 S. County Farm Road Suite 330 Wheaton, IL 60187 | Attorney for Trustee Fees (Trustee | 3110-000 | | 3,572.50 | 580.61 |
| 02/07/12 | 001003 | American Express Bank FSB c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701 | Claim 1, Payment 87.50000% | 7100-900 | | 26.25 | 554.36 |
| 02/07/12 | 001004 | Indemnity Company and Affiliates Travels Indemnity Company c/o RMS Bankruptcy Recovery Services PO Box 5126 Timonium, MD 21094 | Claim 2, Payment 87.50197% | 7100-000 | | 554.36 | 0.00 |

Page Subtotals 7,580.98 7,580.98

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-28454 -MB
Case Name: BANEKS RESTAURANT, INC.

Trustee Name: THOMAS E. SPRINGER, TRUSTEE
Bank Name: BANK OF AMERICA
Account Number / CD #: *****1848 GENERAL CHECKING

Taxpayer ID No: *****8086
For Period Ending: 07/31/12

Blanket Bond (per case limit): \$ 5,000,000.00
Separate Bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|--------------------|-------------------------|------------------------------|--------------------|------------------------------|--------------------------------|---------------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Uniform Tran. Code | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| | | | COLUMN TOTALS | | 7,580.98 | 7,580.98 | 0.00 |
| | | | Less: Bank Transfers/CD's | | 7,580.98 | 0.00 | |
| | | | Subtotal | | 0.00 | 7,580.98 | |
| | | | Less: Payments to Debtors | | | 0.00 | |
| | | | Net | | 0.00 | 7,580.98 | |
| | | | TOTAL - ALL ACCOUNTS | | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCE |
| | | | MONEY MARKET - *****0562 | | 7,603.91 | 22.93 | 0.00 |
| | | | GENERAL CHECKING - *****1848 | | 0.00 | 7,580.98 | 0.00 |
| | | | | | 7,603.91 | 7,603.91 | 0.00 |
| | | | | | (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand |

Page Subtotals 0.00 0.00